

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOHN LEE IVY,	:	Civil No. 10-63 (NLH)
	:	
Petitioner,	:	
	:	
v.	:	ORDER
	:	
WARDEN DONNA ZICKEFOOSE,	:	
	:	
Respondent.	:	
	:	

Petitioner, John Lee Ivy, having filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241; and it appearing that Petitioner, a federal inmate presently confined at the FCI Fort Dix in Fort Dix, New Jersey, is challenging the execution of his sentence, namely, the decision by the Bureau of Prisons to limit his placement in a residential re-entry center, in violation of the Second Chance Act of 2007 (Pub. L. No. 110-199, April 9, 2008);

It is on this 13TH day of January, 2010,

ORDERED that the Clerk of the Court shall serve copies of the Petition, this Order, and all other documents docketed in this matter upon Respondent by certified mail, return receipt requested, with all costs of service advanced by the United States; and it is further

ORDERED the Clerk shall forward, electronically or by regular mail, a copy of the Petition and this Order to the Chief,

Civil Division, United States Attorney's Office, 970 Broad Street, Room 700, Newark, NJ 07102; and it is further ORDERED that, in accordance with Rule 4 of the Rules Governing Section 2254 Cases, applicable to § 2241 cases through Rule 1(b), see 28 U.S.C. § 2254 Rules 1(b), 4, this Court has screened the Petition for dismissal and determined that dismissal without an answer and the record is not warranted; and it is further

ORDERED that, within 30 days of the date of the entry of this Order, Respondent shall electronically file an answer which responds to the allegations of the Petition paragraph by paragraph; and it is further

ORDERED that the answer shall state the statutory authority for Petitioner's detention, see 28 U.S.C. § 2243; and it is further

ORDERED that Respondent shall electronically file with the answer certified copies of the administrative record and all documents relating to Petitioner's claim; and it is further

ORDERED that, within 30 days of receipt of the answer, Petitioner shall file and serve a reply to the answer; and it is further

ORDERED that, within 7 days of Petitioner's release, be it on parole or otherwise, Respondent shall electronically file a written notice of the same with the Clerk; and it is finally

ORDERED that the Clerk shall serve this Order on Petitioner by regular mail.

/s/ NOEL L. HILLMAN

NOEL L. HILLMAN

United States District Judge

At Camden, New Jersey